

**STATE WATER RESOURCES CONTROL BOARD
BOARD MEETING SESSION
OFFICE OF RESEARCH, PLANNING, AND PERFORMANCE
APRIL 6, 2021**

ITEM 2

SUBJECT

CONSIDERATION OF A PROPOSED RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR OR DESIGNEE TO ENTER INTO AND AMEND A CONTRACT TO PROVIDE SERVICES TO THE STATE WATER RESOURCES CONTROL BOARD TO SUPPORT PORTIONS OF THE BOARD'S STATE INTERVENTION WORK PURSUANT TO THE SUSTAINABLE GROUNDWATER MANAGEMENT ACT

DISCUSSION

The proposed resolution is needed based on the duration and amount of the planned contract.

The Sustainable Groundwater Management Act of 2014 (SGMA) requires the formation of groundwater sustainability agencies (GSAs) in groundwater basins designated as high-priority or medium-priority by the Department of Water Resources. GSAs in these basins must develop and implement a groundwater sustainability plan (GSP) that will achieve groundwater sustainability in the basin within 20 years of implementation. GSPs for basins identified as critically overdrafted were due to the State by January 31, 2020, and GSPs for all other high-priority and medium-priority basins are due January 31, 2022. Pursuant to SGMA, if the GSAs in a basin fail to sustainably manage groundwater, the State Water Resources Control Board (State Water Board) can step in to temporarily manage the basin in a process called "state intervention." The goal of State intervention is to temporarily protect the resource until a local GSA can sustainably manage the groundwater basin.

The State Water Board may begin state intervention in basins in early 2022 if the Department of Water Resources determines that any GSPs submitted in early 2020 are inadequate, or if any of the basins with GSPs due in January 2022 fail to submit GSPs.

Under state intervention, the State Water Board may require groundwater extractors to install meters, measure and report all groundwater extractions, and pay fees to cover the cost of Board activities. The Board may also conduct investigations and gather data necessary for sustainable groundwater management. The Board may eventually develop and implement an interim plan to protect groundwater resources in a basin until local control is viable. Given the amount of technical work that state intervention will involve, the Board's Groundwater Management Program will need support from contractors for certain tasks.

To have this support available early in the state intervention process, the Groundwater Management Program is developing a solicitation for a competitive bid contract. The contract would be for hydrogeologic work needed to support State Water Board staff with state intervention activities, including basin characterization and technical support for interim plan development. The contract could commence as early as Summer 2022 and have a five-year term.

POLICY ISSUE

Should the State Water Board authorize the Executive Director or Designee to enter into and amend a contract, not to exceed an initial five-year term period and optional two year time only extension, to provide services to the Board to support state intervention work pursuant to SGMA?

FISCAL IMPACT

The cost of the proposed five-year contract for hydrogeologic services will be up to \$2,000,000 when funds/expenditure authority are identified and become available. The contract will initially be funded using the Groundwater Management Program's spending authority from the General Fund.

SGMA required the State Water Board to adopt a schedule of fees to recover costs incurred in administering SGMA. The Board has set fees at levels sufficient to cover all costs incurred and expended for this purpose, including contracting costs (Cal. Code Regs., tit. 23, § 1040 et seq.).

REGIONAL BOARD IMPACT

None.

STAFF RECOMMENDATION

Groundwater Management Program staff recommends the State Water Board adopt the proposed resolution.